

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Gaur et al.

Application No.: 10/824,263

Confirmation No.: 6517

Filed: April 13, 2004

Art Unit: 1754

For: CARBON ALLOY PRODUCTS AND A
PROCESS FOR THEIR PRODUCTION

Examiner: Not Yet Assigned

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT
MAILED FEBRUARY 25, 2008

MS AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Amendment dated February 25, 2008, please reconsider this application in view of the following.

The amendment filed February 8, 2008, labeled amended claim 31 as (amended) instead of as (currently amended) as preferred by the USPTO. Claim 31 has been re-labeled as (currently amended).

In the amendment filed February 8, 2008, the first one of the claims 101 the status identifier was "(canceled)" and the second claim 101 the status identifier was "(withdrawn)". As such, it was deemed that it would be clear to the examiner that status of the remaining claims 102-111 would remain as "withdrawn" and they would be consecutively numbered 101-111 based upon the cancellation of the inadvertent extra claim 101. the text of the canceled claim 101 was provided, although not preferred, so that the correct extra claim 101 could be cancelled. However, as a requirement for consecutive numbering has been asserted together with a requirement to avoid two claim numbers 101, applicant has now indicated the status of the first claim 101 as (cancelled) and has amended the remaining claims. Particularly, this amendment rennumbers the second claim 101 as claim 102 and indicates the status as (Withdrawn-currently amended). All successive claims 102 through 111 have similarly been amended by renumbering them 103-112, respectively and the status is indicated as (Withdrawn-currently amended). It is believed that this is an acceptable alternative status indicator to (Withdrawn) pursuant to the memorandum titled *Acceptance of Certain Non -Compliant Amendments Under 37 CFR 1.121(c)*, dated 6/6/05, signed by Joseph J. Rolla, Deputy Commissioner for Patent Examination Policy.

Applicants previously requested an extension of time of three months to file this response to and including February 8, 2008. The required fee was submitted therewith on February 8, 2008.